Exhibit 9

		Page 1
1		
2	UNITED STATES DISTRICT COURT	
3	DISTRICT OF SOUTH CAROLINA	
4	CASE NO. 3:21-CV-03302-MBS-TJH-RMG	
5	x	
6	THE SOUTH CAROLINA CONFERENCE OF THE	
7	NAACP, et al,	
8	Plaintiffs,	
9	-against-	
10		
11	THOMAS C. ALEXANDER, et al,	
12	Defendants.	
13	x	
14	July 21, 2022	
	9:30 a.m.	
15		
16	ZOOM VIRTUAL CONFERENCE	
17		
18	VIDEOCONFERENCE Examination	
19	Before Trial of SEAN PATRICK TRENDE, taken	
20	by the Defendants, via Zoom Technology,	
21	pursuant to Notice, held before R. Bobbie	
22	Levy, a Certified Shorthand Reporter and	
23	Notary Public of the State of New York.	
24		
25		

1			
1	S. Trende	e 86	Page 88 1 S. Trende
2	plan refers to the previous map in effect		2 Q For example, did you consider
	from 2012 to 2020.		3 any of the draft plans which the South
4	Q Where did you you get the data		4 Carolina State House legislative staff
	in your report that you present about the		5 developed?
6	enacted map?		6 A I did not.
7	A I likely would have gotten that		7 Q Did you consider, in particular
8	from redistricting data hub.		8 example, the House staff plan that was
9	Q Where is that source?		9 released on December 13, 2021, are you
10	•	10	0 familiar with that plan?
	online repository of redistricting	1	-
	materials collected by academics and	12	
	experts in the field. And that's relied		3 before.
	upon in redistricting matters.	14	
15	We utilized it as a source for	1:	5 And we will produce it as Exhibit 7.
16	matters for material in the Arizona	10	1
17	legislative case. And I have used it in	1	
18	multiple matters since.	13	8 identification, as of this date.)
19	Q Where did you get the data	19	9 A Just to make sure we are on the
20	presented in your report about the	20	0 same page, this is labeled Cong. House
21	benchmark map?	2	1 Staff Map and then Congressional House
22	A I believe it comes from the same		2 Staff Plan when you open it?
23	source.	2.	3 Q Yes.
24	Q So in these opinions you are	24	•
25	comparing the enacted plan to the	2:	5 Q Had you seen this plan before it
	Pag		Page 89
	S. Trende		S. Trende
	benchmark plan. Why is that? Why is that		2 was sent to you earlier this week?
	the sole basis for comparison in your		3 A No.
I _	report?	'	4 Q Okay. I want to start with in
5	A December Manufact I was a street to		5 41:-1
6	A Because it's what I was asked to		5 your summary of opinions, your third
	compare.		6 opinion which is the second bullet on page
7	compare. Q In rendering your opinions did		6 opinion which is the second bullet on page 7. The one that says:
7 8	compare. Q In rendering your opinions did you consider any other plans besides the		6 opinion which is the second bullet on page 7 7. The one that says: 8 "The enacted map retains high
7 8 9	compare. Q In rendering your opinions did you consider any other plans besides the enacted plan and the benchmark plan, the		6 opinion which is the second bullet on page 7 7. The one that says: 8 "The enacted map retains high 9 percentages of the cores of all of the
7 8 9 10	compare. Q In rendering your opinions did you consider any other plans besides the enacted plan and the benchmark plan, the enacted map and the benchmark plan?		6 opinion which is the second bullet on page 7 7. The one that says: 8 "The enacted map retains high 9 percentages of the cores of all of the 0 benchmark districts. Those percentages
7 8 9 10 11	compare. Q In rendering your opinions did you consider any other plans besides the enacted plan and the benchmark plan, the enacted map and the benchmark plan? A There's a history of maps prior	10	6 opinion which is the second bullet on page 7 7. The one that says: 8 "The enacted map retains high 9 percentages of the cores of all of the 0 benchmark districts. Those percentages 1 range from 82.84 percent in District 1 to
7 8 9 10 11 12	compare. Q In rendering your opinions did you consider any other plans besides the enacted plan and the benchmark plan, the enacted map and the benchmark plan? A There's a history of maps prior to the benchmark plan that are provided	10	6 opinion which is the second bullet on page 7 7. The one that says: 8 "The enacted map retains high 9 percentages of the cores of all of the 0 benchmark districts. Those percentages 1 range from 82.84 percent in District 1 to 2 99.96 percent in District 7. And five
7 8 9 10 11 12	compare. Q In rendering your opinions did you consider any other plans besides the enacted plan and the benchmark plan, the enacted map and the benchmark plan? A There's a history of maps prior to the benchmark plan that are provided in the report.	10 11 11 11 11 11 11 11 11 11 11 11 11 1	6 opinion which is the second bullet on page 7 7. The one that says: 8 "The enacted map retains high 9 percentages of the cores of all of the 0 benchmark districts. Those percentages 1 range from 82.84 percent in District 1 to
7 8 9 10 11 12 13 14	Q In rendering your opinions did you consider any other plans besides the enacted plan and the benchmark plan, the enacted map and the benchmark plan? A There's a history of maps prior to the benchmark plan that are provided in the report. Q Well, for example, maybe my	10 11 11 11 11 11 11 11 11 11 11 11 11 1	6 opinion which is the second bullet on page 7 7. The one that says: 8 "The enacted map retains high 9 percentages of the cores of all of the 0 benchmark districts. Those percentages 1 range from 82.84 percent in District 1 to 2 99.96 percent in District 7. And five 3 districts retain more than 94 percent of 4 their cores."
7 8 9 10 11 12 13 14 15	Q In rendering your opinions did you consider any other plans besides the enacted plan and the benchmark plan, the enacted map and the benchmark plan? A There's a history of maps prior to the benchmark plan that are provided in the report. Q Well, for example, maybe my question wasn't clear. In rendering your	10 11 11 11 12 14	6 opinion which is the second bullet on page 7 7. The one that says: 8 "The enacted map retains high 9 percentages of the cores of all of the 0 benchmark districts. Those percentages 1 range from 82.84 percent in District 1 to 2 99.96 percent in District 7. And five 3 districts retain more than 94 percent of 4 their cores."
7 8 9 10 11 12 13 14 15 16	Q In rendering your opinions did you consider any other plans besides the enacted plan and the benchmark plan, the enacted map and the benchmark plan? A There's a history of maps prior to the benchmark plan that are provided in the report. Q Well, for example, maybe my	10 11 11 11 12 14	6 opinion which is the second bullet on page 7 7. The one that says: 8 "The enacted map retains high 9 percentages of the cores of all of the 0 benchmark districts. Those percentages 1 range from 82.84 percent in District 1 to 2 99.96 percent in District 7. And five 3 districts retain more than 94 percent of 4 their cores." 5 What do you mean by core 6 retention?
7 8 9 10 11 12 13 14 15 16 17	compare. Q In rendering your opinions did you consider any other plans besides the enacted plan and the benchmark plan, the enacted map and the benchmark plan? A There's a history of maps prior to the benchmark plan that are provided in the report. Q Well, for example, maybe my question wasn't clear. In rendering your opinions did you consider any of the other	10 11 12 13 14 15 16 16	6 opinion which is the second bullet on page 7 7. The one that says: 8 "The enacted map retains high 9 percentages of the cores of all of the 0 benchmark districts. Those percentages 1 range from 82.84 percent in District 1 to 2 99.96 percent in District 7. And five 3 districts retain more than 94 percent of 4 their cores." 5 What do you mean by core 6 retention?
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	compare. Q In rendering your opinions did you consider any other plans besides the enacted plan and the benchmark plan, the enacted map and the benchmark plan? A There's a history of maps prior to the benchmark plan that are provided in the report. Q Well, for example, maybe my question wasn't clear. In rendering your opinions did you consider any of the other plans that were submitted or considered during the legislative process? A So to make sure we are on the same page, you are asking about	10 11 11 12 13 14 11 16 11 18 19 20 2	6 opinion which is the second bullet on page 7 7. The one that says: 8 "The enacted map retains high 9 percentages of the cores of all of the 0 benchmark districts. Those percentages 1 range from 82.84 percent in District 1 to 2 99.96 percent in District 7. And five 3 districts retain more than 94 percent of 4 their cores." 5 What do you mean by core 6 retention? 7 A I believe it's specified later 8 in the map but it is the percentage of 9 the old district that is contained in the 0 new district. In terms of population.
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	O In rendering your opinions did you consider any other plans besides the enacted plan and the benchmark plan, the enacted map and the benchmark plan? A There's a history of maps prior to the benchmark plan that are provided in the report. O Well, for example, maybe my question wasn't clear. In rendering your opinions did you consider any of the other plans that were submitted or considered during the legislative process? A So to make sure we are on the same page, you are asking about alternative plans to the plan that was potentially enacted?	10 11 11 11 11 11 11 11 11 12 20 22 22 22 22	6 opinion which is the second bullet on page 7 7. The one that says: 8 "The enacted map retains high 9 percentages of the cores of all of the 0 benchmark districts. Those percentages 1 range from 82.84 percent in District 1 to 2 99.96 percent in District 7. And five 3 districts retain more than 94 percent of 4 their cores." 5 What do you mean by core 6 retention? 7 A I believe it's specified later 8 in the map but it is the percentage of 9 the old district that is contained in the 0 new district. In terms of population. 1 Q And how did you assess the level 2 of core retention between the enacted map 3 and the benchmark plan?

23 (Pages 86 - 89)

Page 90	Page 92
1 S. Trende	1 S. Trende
2 of the blocks or how the blocks were	2 yourself up for this line of inquiry.
3 assigned. I believe this is all included	3 And it's kind of like the question, when
4 in the R code that I provided. R is just	4 does stubble become a beard? I don't
5 the letter R.	5 know exactly but I know that Rutherford
6 After that so that, you know,	6 B. Hayes had a beard.
7 the shape file is basically a spreadsheet	7 And I know that if 99.96 core
8 with some special geographic data in the	8 retention isn't high, then the word high
9 file column.	9 has no meaning. To me, 82.84 is also
But you create a line in the	10 high. But if someone wanted to quibble
11 shape file; you have the shape file of	11 about that, I suppose we could.
12 the blocks with the populations. You	12 Q Your report emphasizes 94
13 create a line in the shape file for each	13 percent. And is that, I mean should we
14 of the blocks for what district they were	14 take that to mean that's what you consider
1	15 to be a high core retention percentage?
15 assigned to previously. 16 You create a line in the shape	16 A No.
17 file for each district they are assigned	
	17 Q Are you aware of any 18 peer-reviewed literature that talks about
18 to under the new map. 19 And then you can direct R to	_
· · · · · · · · · · · · · · · · · · ·	19 what a high core percentage, core 20 retention percentage is?
20 look at the differences, you know, of the	1 6
21 total population in District 1, how much,	
22 you take the total population of District	22 Q Is there any peer review
23 1, you take the total population of	23 literature that you are aware of that sets
24 District 1 where the old assignment	24 a standard for what a high core retention
25 matches the new assignment. Divide them	25 rate is?
Page 91	Page 93
2 and they give you percentages.	2 A No.
2 and they give you percentages.	
3 THE WITNESS: Is now an okay	3 MR. FREEDMAN: If you could turn
3 THE WITNESS: Is now an okay 4 time to take a break for five minutes?	3 MR. FREEDMAN: If you could turn 4 to the document tabbed 32, and I will
THE WITNESS: Is now an okay time to take a break for five minutes? My son just came home and is looking	3 MR. FREEDMAN: If you could turn 4 to the document tabbed 32, and I will 5 introduce this as Exhibit 8.
THE WITNESS: Is now an okay time to take a break for five minutes? My son just came home and is looking for something.	3 MR. FREEDMAN: If you could turn 4 to the document tabbed 32, and I will 5 introduce this as Exhibit 8. 6 (Whereupon, 2021 South Carolina
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THE WITNESS: Is now an okay time to take a break for five minutes? My son just came home and is looking for something. THE VIDEOGRAPHER: The time is 11:50 and we are going off the record. This is the end of media unit number 2. (Recess taken: 11:50) THE VIDEOGRAPHER: The time is 11:59 and we are back on the record. This is the beginning of media unit number 3. Q Mr. Trende, when we were just Pefore the break I was asking you about the, your Summary of Conclusion, the third bullet regarding core retention. And I guess another baseline question: What do you consider to be a high core retention percentage?	MR. FREEDMAN: If you could turn to the document tabbed 32, and I will introduce this as Exhibit 8. (Whereupon, 2021 South Carolina House Redistricting Guidelines was marked as Exhibit 8 for identification, as of this date.) (Pause) Q Have you seen this document before? A Yes. Q What is it? A It is the South Carolina House Redistricting Ad Hoc Committee Redistricting Ad Hoc Committee Redistricting Ad Hoc Committee 2021

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Page 94		Page 96
1 S. Trende	1 S. Trende	8
2 significance of the guidelines?	2 the general assembly."	
3 A My understanding is that they	What are you referring to when	
4 were criteria set forth by the committee	4 you refer to this Court's decisions?	
5 to guide how the districts would be	5 A Probably the Colleton County in	
6 drawn.	6 Backus opinions.	
7 Q Is it fair to say that they are	7 Q Is there anything in Backus that	
8 the criteria that the South Carolina House	8 talks about core retention?	
9 of Representatives would use in creating	1	
10 the Congressional districts?	10 my head. 11 O Okay. If you could turn the	
11 A I don't know if that's a perfect		
12 rephrase of what I just said. I don't	12 page to, let's talk about table 3 for a	
13 know if they were intended to be an	13 bit. Table 3 is at the top of page 18 and	
14 exclusive list but they are certainly the	14 my first question is what is this table?	
15 guidelines that they would use for	15 A This is a summary of the	
16 assessing redistricting efforts.	16 population of districts that are retained	
17 Q Do the House guidelines identify	17 in the succeeding district with the same	
18 core retention as a criteria that was to	18 number.	
19 be used in creating Congressional	19 Q Okay. And what's it intended to	
20 districts?	20 present?	
21 A It's not specifically listed,	21 A The population of districts that	
22 although that's certainly part of	22 are retained in the succeeding districts	
23 incumbency consideration.	23 with the same number.	
24 Q Does this document use the word	24 Q You don't set a source for the	
25 core?	25 information presented in this table, do	
Page 95		Page 97
1 S. Trende	1 S. Trende	
2 A No. The word core is not	2 you?	
3 contained in the document.	3 A No. It would be taken from the	
4 Q Does the document use the word	4 shape files described above. And	
5 matamatican 9	5 i the D thet	
5 retention?	5 processes in the R code that was	
6 A No, it does not use the word	6 provided.	
	6 provided. 7 Q So just walk me through that.	
6 A No, it does not use the word	6 provided.	
6 A No, it does not use the word 7 retention.	6 provided. 7 Q So just walk me through that.	
 6 A No, it does not use the word 7 retention. 8 Q In your report, we can go back 	 6 provided. 7 Q So just walk me through that. 8 Where is this, where are these numbers 	
 6 A No, it does not use the word 7 retention. 8 Q In your report, we can go back 9 to your report. Your actual analysis on 	6 provided. 7 Q So just walk me through that. 8 Where is this, where are these numbers 9 coming from?	
 6 A No, it does not use the word 7 retention. 8 Q In your report, we can go back 9 to your report. Your actual analysis on 10 this, let's just go down, it starts at 	6 provided. 7 Q So just walk me through that. 8 Where is this, where are these numbers 9 coming from? 10 A They are taken from the shape	
6 A No, it does not use the word 7 retention. 8 Q In your report, we can go back 9 to your report. Your actual analysis on 10 this, let's just go down, it starts at 11 page 17. And at the bottom of page 17 let	6 provided. 7 Q So just walk me through that. 8 Where is this, where are these numbers 9 coming from? 10 A They are taken from the shape 11 files from the Redistricting Data Hub	
6 A No, it does not use the word 7 retention. 8 Q In your report, we can go back 9 to your report. Your actual analysis on 10 this, let's just go down, it starts at 11 page 17. And at the bottom of page 17 let 12 me know when you are there.	6 provided. 7 Q So just walk me through that. 8 Where is this, where are these numbers 9 coming from? 10 A They are taken from the shape 11 files from the Redistricting Data Hub 12 that have the census data for each block. 13 And then processed in R.	
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25 (Pages 94 - 97)

	Page 98	Page 100
1 S. Trende		S. Trende
2 And then summarize the total	I .	2 District 6, do you see that the fourth
3 population of each district where the two		3 line presents the core constituency
4 columns match. So where block 1 was		4 calculation for District 6?
5 assigned block 1 in both maps.		5 A That's correct.
6 And that tells you, that's, the		6 Q And this says that the core
7 latter is your numerator. The former is		7 constituency calculation for District 6 is
8 your denominator. And it tells you what		8 77.41 percent. Do you see that?
9 core population retention is.		9 A Correct.
10 Q Now, according to your table 3,	1	
11 you are saying the core retention for		1 population retention for District 6 as
12 District 6 was 87.55 percent, right?		2 87.55 percent, right?
13 A The core population retention,	1	
14 correct.	1	, ,
15 Q And you got the number from the		5 difference between 77.41 percent and 87.55
16 shape files and in processing it through l	R 1	6 percent is a big number, right?
17 in the way you just described, right?	1	1 2 1
18 A Correct.	1	8 Q For District 6 that corresponds
19 Q And you are also saying that the	1	9 to about 75,000 people, right?
20 core population retention for District 1	2	0 A 73,120.
21 is 82.84 percent, correct?	2	1 Q So do you have any explanation
22 A Correct.	2	2 for why the House calculated the core
23 Q I want to show show you, if you		3 constituency for District 6 at 77.4
24 could turn to the document tab 27.		4 percent, I'm sorry, 77.41 percent; and you
25 (Pause)		5 calculated the core population retention
	Page 99	Page 101
1 S. Trende		1 S. Trende
2 MR. FREEDMAN: And we will		2 at 87.55 percent?
3 introduce this as Exhibit 9.		3 A Yes.
4 (Whereupon, House Core	I .	4 Q Okay, explain that to me.
5 Constituency Analysis was marked as	I .	5 A Well, there's a different way
6 Exhibit 9 for identification, as of		6 that you can calculate it and that is
7 this date.)		7 what the House did.
8 Q Have you seen this document		8 They are looking at the new
9 before?		9 district, as you can see on each of these
10 A Yes.		0 pages, the total population of the
		1 district, which is their denominator
12 A I believe it's available on the		2 731,203 or 731,204. That's a different
13 website, the redistricting committee		3 process than the process I described.
14 website. And then when you provided it		& 1 1
15 during a couple of days ago.		5 of the old district and seeing how much
16 Q Okay. Did you consider this in		6 of it stayed in the new district. My
17 rendering your opinions in this case?		7 denominator would be the population of
18 A No.		8 the old district.
19 Q If you scroll down to the second	1	
20 page, I want to look at the, this is the	2	0 of calculating the core population
21 core just so the record is clear, this is	2	1 retention rate is better than what the
22 the core constituency's analysis that was	2	2 House did?
23 available on the House plan redistricting		3 A Not intrinsically. But
24 website.	2	•
	2	
25 If you look at the analysis of	2	

26 (Pages 98 - 101)

Page III/	Page 104
Page 102	1 S. Trende
2 population, it's going to have a smaller	2 A It is not in table 3, no.
3 denominator.	3 Q Is there a reason why you didn't
4 Q The 77.41 percent calculation,	4 present the racial demographics of your
5 is a valid calculation of core	5 core constituency analysis?
6 constituency, right?	6 A No, because the table is core
7 A Right. But like I said, it's	7 population retention overall.
8 not intrinsically better. It giveth and	8 Q Did you analyze the racial
9 it taketh away. If you look at the old	9 demographics of the core retention?
10 District 1 where the district had shed	10 A I believe later on I looked at
11 population, it shows a much higher rate	11 the demographics of the precincts that
12 of core retention than I had calculated.	12 were moved back and forth. But not in
So it really is just two	13 terms of racial core retention, no.
14 different ways of looking at the concept	14 Q You didn't look at it on an
15 of core retention.	15 aggregated basis to see what the overall
16 Q Okay. Fair enough. Let's take	16 retention for the district was, right?
17 a look at how the Senate calculated it.	17 A I believe that's correct.
18 If you could turn to tab 30.	18 Q Were you instructed not to look
19 (Pause)	19 at the racial demographics of the core
20 A Okay.	20 constituency
21 MR. FREEDMAN: And we will	21 A I was not.
22 introduce this as Exhibit 10. In a	22 Q done at this time? Just
23 second.	23 looking at, we can stick with the Senate
24 (Whereupon, Senate core	24 analysis. We can talk about District 1,
25 constituency analysis labeled tab	25 since you raised that earlier.
Page 103	Page 105
1 S. Trende	1 S. Trende
2 30was marked as Exhibit 10 for	2 You see that the Senate analyzes
3 identification, as of this date.)	3 and says that District 1 core retention
3 identification, as of this date.)4 Q Exhibit 10 is the same analysis	3 and says that District 1 core retention 4 was 92.78 percent which is higher than
 3 identification, as of this date.) 4 Q Exhibit 10 is the same analysis 5 of the enacted plan published on the 	3 and says that District 1 core retention 4 was 92.78 percent which is higher than 5 what you presented in tab, tab 3, right?
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23 77.41 according to the House and Senate 24 analyses, right? 23 You know, there are longstanding 24 commonalities in a lot of these		22 anchored in Greenville and Spartanburg.
24 analyses, right? 24 commonalities in a lot of these		
25 A Those are the correct numbers. 25 districts.		
	The second the comment assessed and	25 digtaints

D 110	D 100
Page 118 1 S. Trende	Page 120
2 Q I wanted to ask about a couple	2 were, would be completely unrecognizable
3 of pieces of your analysis when you are	3 to someone who time hopped from 1932 to
4 talking about the historical maps going	4 2011. And that's just not the case here.
5 back.	5 Q And again looking at this map,
6 First thing is, one of the	6 this is consistent with the last map. The
7 observations you make is that this map in	7 city of Charleston is kept together in a
8 the 1902 map has, as you write it, a	8 single Congressional district, right?
9 district that was anchored in Beaufort	9 A That's correct.
10 County and the counties along the Georgia	10 Q It's the center of District 1,
11 border. What did you mean by that?	11 right?
12 A Where are we?	12 A That's correct.
13 Q I'm reading at the bottom of	13 Q Now just, I want to make sure.
14 page 10. About the map on page 11.	14 You have got, you know, two maps that are,
15 A I see. The second, is it	15 the first two maps presented here. I just
16 Beaufort or Beaufort? Whatever.	16 wanted to get your understanding as to the
17 B-e-a-u-f-o-r-t is the population center	17 basis of why they're relevant today. I
18 where the second went in the 1902	18 mean you are aware that the maps, the 1902
19 district went before stretching up along	19 map, the 1932 map, are maps that were
20 the South Carolina/Georgia border, which	20 adopted in the Jim Crow era?
21 says now it's pretty rural.	21 A That's right.
Q And Beaufort County in the 1902	Q And these maps were also adopted
23 map was in a different Congressional	23 before the equal population requirement
24 district than Charleston County, right?	24 for Banker v. Carr, right?
25 A That's right.	25 A That's correct.
Page 119 1 S. Trende	Page 121 S. Trende
2 Q And again, historically	
	2 O So considering those would you
	2 Q So considering those, would you 3 explain to me why you think the 1902 and
3 speaking, if we go back a century the City	3 explain to me why you think the 1902 and
3 speaking, if we go back a century the City4 of Charleston was kept together in a	3 explain to me why you think the 1902 and 4 1932 maps are relevant to what we are
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31 (Pages 118 - 121)

	D 100		D 104
1	Page 122 S. Trende	1	Page 124 S. Trende
	interesting context; perhaps the Court	_	map, which is on page 13 of your report.
1	will disagree.	3	(Pause)
4	Q Okay. Thank you. That was	4	Q Now the 1982 map, what's your
	helpful. So just moving forward in your	5	purpose in presenting this one?
1	report, your next map you discuss is the	6	A So it is the same as the
1	1982 map. I want to ask.	7	previous ones: To show some of the
8	You don't include the first	1	continuities in the way maps have been
9	Apush Court, Baker v. Carr map, the map	9	drawn. This isn't the state, where they
10	adopted in the early 1970s. Is there a	10	kind of use the etch a sketch and erase
11	reason why that map wasn't included in	11	it every 10 years and try to redraw the
12	your report?	12	districts.
13		13	This isn't someplace like Ohio
	maps. Because the first Baker map would	1	or Pennsylvania, or Maryland where you
1	have been, everyone would have had to		just get something radically different
	redraw their lines I think, in 1966,		every couple of cycles. It's been kind
	except for the single member states.		of the same story, obviously things have
18	And it was just in the interest	1	to change. But you still get the same
1	of keeping things moving along.		basic story every cycle.
20	•	20	
1	that those maps would show different, you	1	1982 map like the other previous maps that
1	know, different alignment of the districts		we looked at, the City of Charleston was
	than what we have otherwise been looking at?		kept together in a single Congressional district?
25	A I don't think they did. And	25	A You know, I can't tell from
23	A Tuon tunink they did. And	25	A Tou know, I can t ten from
1	Page 123	1	Page 125 S. Trende
1 2	S. Trende	1 2	S. Trende
1	S. Trende they certainly weren't excluded for any	1	S. Trende eyeballing the area. But I am guessing
1	S. Trende they certainly weren't excluded for any reason, like any reason for that.	1	S. Trende eyeballing the area. But I am guessing that it does look like it was.
3 4	S. Trende they certainly weren't excluded for any reason, like any reason for that. It was just kind of, okay, we	3 4	S. Trende eyeballing the area. But I am guessing that it does look like it was. Q Okay. Why don't we move forward
3 4 5	S. Trende they certainly weren't excluded for any reason, like any reason for that. It was just kind of, okay, we have established the longstanding	3 4 5	S. Trende eyeballing the area. But I am guessing that it does look like it was.
3 4 5 6	S. Trende they certainly weren't excluded for any reason, like any reason for that. It was just kind of, okay, we	3 4 5	S. Trende eyeballing the area. But I am guessing that it does look like it was. Q Okay. Why don't we move forward in 1992. Go to page 14 of your report. The 1992 map.
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3 4 5 6 7	S. Trende they certainly weren't excluded for any reason, like any reason for that. It was just kind of, okay, we have established the longstanding traditions. Let's get to what people were mostly interested in, which is	3 4 5 6 7 8	S. Trende eyeballing the area. But I am guessing that it does look like it was. Q Okay. Why don't we move forward in 1992. Go to page 14 of your report. The 1992 map. (Pause)
3 4 5 6 7 8 9 10	S. Trende they certainly weren't excluded for any reason, like any reason for that. It was just kind of, okay, we have established the longstanding traditions. Let's get to what people were mostly interested in, which is what's happened in the last few decades. Q Okay. Just so I'm did you consider either the post-Baker v. Carr map	3 4 5 6 7 8 9 10	S. Trende eyeballing the area. But I am guessing that it does look like it was. Q Okay. Why don't we move forward in 1992. Go to page 14 of your report. The 1992 map. (Pause) Q Now what's your purpose in showing the 1992 map? A Well, I am showing the history
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32 (Pages 122 - 125)

1	D 107		D 100
1	Page 126 S. Trende	1	Page 128 S. Trende
$\frac{1}{2}$	I don't know for sure if the	2	
	Bush DOJ was pursuing this state. But I know a lot of states in the 1992	3	on page 16, this is the map that was evaluated in the Backus case, correct?
1		5	A That's correct.
	redistricting cycle Bush DOJ was	_	
	pressuring them to draw more ability to	6	Q And this map, like every map we
	elect districts. So.		have looked at so far keeps the City of
8	Q So just in terms of you know,	1	Charleston together in the First
	what this map does and how it's in		Congressional District, right?
	comparison to the 1982 map. This map	10	A I think we have some nice
11	still keeps City of Charleston in District		blowups elsewhere to be able to confirm
	1, right?	1	whether that protrusion from the and I
13	A Yes.		know the protrusion from the 6th goes
14	Q And	1	into Charleston County. I don't know
15	A I should say it looks that way.		whether it goes into the City of
	I can't tell if some of the 6th intrudes		Charleston.
	into the City of Charleston.	17	Q And you don't know one way or
18	Q And not like the 1982 map but	1	the other whether City of Charleston was
	some of the earlier maps we saw, Beaufort		split under the benchmark plan?
	County is in a different district here	20	A I think we have the split data
	than Charleston, right?		for locales somewhere else; I don't know.
22	A Yes.	22	Q Okay. With regard to the
23	Q So moving forward to the 2002	23	enacted plan and the analysis you present
24	map, which is page 15 of your report.		at the bottom of page 16, you write that
25	This is the map that was evaluated and the	25	the enacted plan makes only minor changes
1	Page 127	1	Page 129
$\frac{1}{2}$	S. Trende		S. Trende
	result of a Colleton County case, correct?		to the benchmark plan.
3	A That's right.	3	And I think we have talked about
4	Q And this map, like some of the		some of that. You in this analysis don't
	other maps we've looked at, keeps the City		note that the enacted plan splits the City
	of Charleston together in the first	1	of Charleston between, out of the First
l _	Congressional District. Do you see that?		Congressional District?
8	A Again, I can't tell from this	8	A That's correct.
	whether the 6th takes in any of the	9	Q And your report also doesn't
	population of City of Charleston.		discuss that there's a district as there
	Q Okay. Well, like the 1992 map		had been in the past, anchored in Beaufort
11			-
12	and like the some of the historical maps	12	County and the counties along the Georgia
12 13	and like the some of the historical maps we were looking at, can you tell whether	12 13	County and the counties along the Georgia border.
12 13 14	and like the some of the historical maps we were looking at, can you tell whether Beaufort County and Charleston County are	12 13 14	County and the counties along the Georgia border. A Which district is that?
12 13 14 15	and like the some of the historical maps we were looking at, can you tell whether Beaufort County and Charleston County are in the same Congressional district in this	12 13 14 15	County and the counties along the Georgia border. A Which district is that? Q Well, it looks to me that this
12 13 14 15 16	and like the some of the historical maps we were looking at, can you tell whether Beaufort County and Charleston County are in the same Congressional district in this one?	12 13 14 15 16	County and the counties along the Georgia border. A Which district is that? Q Well, it looks to me that this map actually splits Beaufort from the
12 13 14 15 16 17	and like the some of the historical maps we were looking at, can you tell whether Beaufort County and Charleston County are in the same Congressional district in this one? A Beaufort and Charleston are not.	12 13 14 15 16 17	County and the counties along the Georgia border. A Which district is that? Q Well, it looks to me that this map actually splits Beaufort from the counties along the Georgia border. Do you
12 13 14 15 16 17 18	and like the some of the historical maps we were looking at, can you tell whether Beaufort County and Charleston County are in the same Congressional district in this one? A Beaufort and Charleston are not. Q The observation you made	12 13 14 15 16 17 18	County and the counties along the Georgia border. A Which district is that? Q Well, it looks to me that this map actually splits Beaufort from the counties along the Georgia border. Do you see that?
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12 13 14 15 16 17 18 19 20 21 22 23 24	and like the some of the historical maps we were looking at, can you tell whether Beaufort County and Charleston County are in the same Congressional district in this one? A Beaufort and Charleston are not. Q The observation you made historically is about having a district anchored in Beaufort County and the counties along the Georgia border, that applies to this map, the 2002 map?	12 13 14 15 16 17 18 19 20 21 22 23	County and the counties along the Georgia border. A Which district is that? Q Well, it looks to me that this map actually splits Beaufort from the counties along the Georgia border. Do you see that? A Yes. Q Beaufort is in the First Congressional District and the border counties, and the Georgia border counties

33 (Pages 126 - 129)

Page 166	Page 168
1 S. Trende	1 S. Trende
2 Q Fair enough. Have you ever seen	2 Q Good. All right. Let's switch
3 the materials in the A and B zip file?	3 gears. I am switching gears again. Do
4 A I would be shocked. Like I	4 you need a quick break or you want to?
5 said, I didn't consider alternative maps,	5 (Pause)
6 I wasn't contacted by Adam Kincaid or	6 MR. FREEDMAN: Why don't we take
7 Andrew Fiffick in this matter. I have no	7 five.
8 I mean you are asking me about a pig	8 THE WITNESS: Okay.
9 in a poke, right?	9 MR. FREEDMAN: And then I'll
I have no idea what A and B are.	10 hopefully be towards the home stretch.
11 But to my knowledge I don't, I've never	11 THE VIDEOGRAPHER: The time is
12 seen it. If it's one of the documents	12 2:27 and we are going off the record.
13 you just showed me, then yeah, I have	This is the end of media unit number
14 seen it. But I don't know.	14 4.
15 Q You don't know if you have seen	15 (Recess taken: 2:25)
16 it?	THE VIDEOGRAPHER: The time is
17 A Yeah.	2:33 and we are back on the record.
18 Q Okay.	18 This is the beginning of media unit
MR. FREEDMAN: Let me just show	19 number 5.
you, this will be the document tab 35.	20 Q Mr. Trende, if you could turn
We will introduce this as Exhibit 17.	21 to page 24 of your report, Exhibit 2. I
(Whereupon, email dated 11/24/21	22 want to ask you about your analysis of
Bates stamped SC-Senate-00003245	23 Sumter County. First question: Where did
labeled Tab 35 was marked as Exhibit	24 this analysis come from?
25 17 for identification, as of this	25 A So again, it comes from the
Page 167	Page 169
1 S. Trende	1 S. Trende
2 date.)	2 shape files and the data described in the
3 Q Same initial question: Before	3 opening section of the report and it
4 getting the package of materials of	4 would have been processed in R.
5 potential exhibits for your deposition had	
J 1	5 Q Did any of the analysis you have
6 you seen this document before?	6 got here concerning Sumter County come
6 you seen this document before? 7 A No.	6 got here concerning Sumter County come 7 directly or indirectly from employees or
 6 you seen this document before? 7 A No. 8 Q This is, for the record, this is 	6 got here concerning Sumter County come 7 directly or indirectly from employees or 8 members of the South Carolina Legislature?
 6 you seen this document before? 7 A No. 8 Q This is, for the record, this is 9 exhibit 17 has the Bates number 	6 got here concerning Sumter County come 7 directly or indirectly from employees or 8 members of the South Carolina Legislature? 9 A No.
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